

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/19/10

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
 COMMUNICATIONS WORKERS OF AMERICA, AFL- :  
 CIO; THOMAS OAKLEY, PAUL DUNN, AILEEN :  
 CORNIELLE, LUCIANO ABBATIello, STEVE :  
 ACIERNO, RON ADDEO, THOMAS BARRY, :  
 CHARLES BRADY, JOSEPH CARBALLO, LAUREN :  
 COLCLOUGH, MIKE DOWD, JULIET FOUNTAIN, :  
 GAVIN FRATER, NILSA GREENE, ADRIANE :  
 GRZYBOWSKI, ELAINE HENDERSON, GEORGE :  
 HOLMAN, KEVIN KAER, JEFFREY LEROY, DENISE :  
 LOPEZ, MARY MARTINI, CHRISTOPHER :  
 MCCARTHY, DENNIS MCGEE, DEBBIE MONROE, :  
 LAURA NUSS, RAY PEAY, MICHELLE PROCK, PAM :  
 REINHEIMER, DAISY RIVERA, ANTHONY :  
 SICURANZO, MARCHELLE SMITH, CHARLES :  
 SPINALE, TAMMI TERRELL, JAMES TREADWAY, :  
 MINDY VEGA, LORRIS WATSON, JUDITH :  
 WHIGHAM, ADRAINE WHITNEY, :

ECF CASE

09 Civ. 9175 (CM-MHD)

**STIPULATION AND ORDER**

Plaintiffs,

v.

VERIZON COMMUNICATIONS, INC.,

Defendant.

----- X

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, by  
 their undersigned counsel, subject to the Court's approval, as follows:

1. On November 4, 2009, plaintiffs filed the Complaint in the above-captioned  
 action.
2. On April 22, 2010, plaintiffs filed the First Amended Complaint wherein:
  - a. Communications Workers of America, AFL-CIO was removed as a  
 plaintiff;

b. The following individuals were added as plaintiffs: Alyson Bradley, Matthew Christie, Latonia Epperson, Brenda Fritchey, Kelly Lee, Angela Lucas, Noel Melendez, Ed Middendorf, Damian Parra, and Kimberly Pereira; and

c. The following entities were added as defendants: Verizon Washington, DC Inc. (improperly named in the Amended Complaint as “Verizon Washington, D.C. Inc.”), Verizon South Inc. (improperly named in the Amended Complaint as “Verizon South Inc. (Virginia)”), Verizon Pennsylvania Inc., Verizon Delaware LLC (improperly named in the Amended Complaint as “Verizon Delaware Inc.”), Verizon New England Inc., Verizon New Jersey Inc., Verizon Select Services Inc., Verizon Teleproducts Corp., Verizon Connected Solutions Inc., Verizon New York Inc., Empire City Subway Company (Limited), Verizon Maryland Inc., Verizon Virginia Inc., Verizon West Virginia Inc., Verizon Services Corp., Verizon Corporate Services Corp. and Verizon Avenue Corp. (d/b/a Verizon Enhanced Communities).

3. Verizon Advanced Data Inc., an additional defendant named by plaintiffs in their Amended Complaint, is no longer an active entity. As of September 28, 2007, it merged into its parent company, Defendant Verizon New York Inc. Accordingly, all claims in the Amended Complaint asserted by plaintiffs against Verizon Advanced Data Inc. shall be unconditionally dismissed on the merits, with prejudice, and without costs or attorneys’ fees to any party.

4. The parties are in agreement that the caption should accurately reflect the names of the actual plaintiffs and defendants who are parties to the action.

5. Pursuant to Federal Rule of Civil Procedure 10, the caption in this action is hereby amended as follows and the Clerk of Court is hereby directed to amend the docket in this case accordingly:

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X

THOMAS OAKLEY, LUCIANO ABBATIELLO,	:	
STEVE ACIERNO, RON ADDEO, THOMAS	:	
BARRY, ALYSON BRADLEY, CHARLES BRADY,	:	
MARCEL CABRERA, JOSEPH CARBALLO,	:	<b>ECF CASE</b>
MATTHEW CHRISTIE, LAUREN COLCLOUGH,	:	
AILEEN CORNIELLE, MIKE DOWD, PAUL DUNN,	:	09 Civ. 9175 (CM-MHD)
LATONIA EPPERSON, JULIET FOUNTAIN, GAVIN	:	
FRATER, BRENDA FRITCHY, NILSA GREENE,	:	
ADRIANE GRZYBOWSKI, ELAINE HENDERSON,	:	
GEORGE HOLMAN, KEVIN KAER, KELLY LEE,	:	
JEFFREY LEROY, DENISE LOPEZ, ANGELA	:	
LUCAS, MARY MARTINI, CHRISTOPHER	:	
MCCARTHY, DENNIS MCGEE, NOEL MELENDEZ,	:	
ED MIDDENDORF, DEBBIE MONROE, LAURA	:	
NUSS, DAMIAN PARRA, RAY PEAY, KIMBERLY	:	
PEREIRA, MICHELLE PROCK, PAM REINHEIMER,	:	
DAISY RIVERA, ANTHONY SICURANZO,	:	
MARCHELLE SMITH, CHARLES SPINALE, TAMMI	:	
TERRELL, JAMES TREADWAY, MINDY VEGA,	:	
LORRIS WATSON, JUDITH WHIGHAM, and	:	
ADRAINE WHITNEY, individually and on behalf of all	:	
others similarly situated,	:	
	:	
Plaintiffs,	:	
	:	
	:	
v.	:	
	:	
	:	
VERIZON COMMUNICATIONS, INC., VERIZON	:	
WASHINGTON, DC INC., VERIZON SOUTH INC.,	:	
VERIZON DELAWARE LLC, VERIZON AVENUE	:	
CORP. (D/B/A VERIZON ENHANCED	:	
COMMUNITIES), VERIZON PENNSYLVANIA INC.,	:	
VERIZON NEW ENGLAND INC., VERIZON NEW	:	
JERSEY INC., VERIZON SELECT SERVICES INC.,	:	
VERIZON TELEPRODUCTS CORP., VERIZON	:	
CONNECTED SOLUTIONS INC., VERIZON NEW	:	
YORK INC., EMPIRE CITY SUBWAY COMPANY	:	
(LIMITED), VERIZON MARYLAND INC., VERIZON	:	
VIRGINIA INC., VERIZON WEST VIRGINIA INC.,	:	
VERIZON SERVICES CORP., VERIZON CORPORATE	:	
SERVICES CORP.,	:	
	:	
	:	
Defendants.	:	
	:	
----- X	:	

Dated: New York, New York  
October 15, 2010

SEMEL, YOUNG & NORUM

s/Gabrielle Gayla Semel  
By: \_\_\_\_\_  
Gabrielle Gayla Semel  
[gsemel@cwa-union.org]  
350 Seventh Avenue, 18th Floor  
New York, New York 10001  
(212) 419-1550 (phone)  
(212) 419-1555 (fax)

*Counsel for Plaintiffs and the Communication  
Workers of America*

s/Mary K. O'Melveny  
By: \_\_\_\_\_  
Mary K. O'Melveny  
[maryo@cwa-union.org]  
501 3rd Street, N.W., 8th Floor  
Washington, D.C. 20001  
(202) 434-1234 (phone)  
(202) 434-1219 (fax)

*Counsel for Plaintiffs and the Communication  
Workers of America*

LEWIS CLIFTON NIKOLAIDIS P.C.

s/Daniel E. Clifton  
By: \_\_\_\_\_  
Daniel E. Clifton  
[dclifton@lcnlaw.com]  
Louis Nikolaidis  
[lnikolaidis@lcnlaw.com]  
350 Seventh Avenue  
New York, New York 10001-1931  
(212) 419-1500 (phone)  
(212) 419-1510 (fax)


*Counsel for Plaintiffs*

SEYFARTH SHAW LLP

s/Lorie E. Almon  
By: \_\_\_\_\_  
Lorie E. Almon  
[lalmon@seyfarth.com]  
Arthur G. Telegen  
[atelegen@seyfarth.com]  
Krista Pratt  
[kpratt@seyfarth.com]  
620 Eighth Avenue, 32nd Floor  
New York, New York 10018  
(212) 218-5500 (phone)  
(212) 218-5526 (fax)

*Attorneys for Defendants  
Verizon Communications, Inc.  
Verizon Washington, DC Inc.  
Verizon South Inc.  
Verizon Pennsylvania Inc.  
Verizon Delaware LLC  
Verizon New England Inc.  
Verizon New Jersey Inc.  
Verizon Select Services Inc.  
Verizon Teleproducts Corp.  
Verizon Connected Solutions Inc.  
Verizon New York Inc.  
Empire City Subway Company  
(Limited)  
Verizon Maryland Inc.  
Verizon Virginia Inc.  
Verizon West Virginia Inc.  
Verizon Services Corp.  
Verizon Corporate Services Corp. and  
Verizon Avenue Corp. (d/b/a Verizon  
Enhanced Communities)*

SO ORDERED:



Dated: New York, New York  
October 14, 2010

---

The Honorable Colleen McMahon  
United States District Judge